

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

|                            |   |                   |
|----------------------------|---|-------------------|
| UNITED STATES OF AMERICA,  | ) |                   |
|                            | ) |                   |
| Plaintiff,                 | ) | Case No.: 05-183M |
|                            | ) |                   |
| v.                         | ) |                   |
|                            | ) |                   |
| GILBERTO MARTINEZ-SANCHEZ, | ) | DETENTION ORDER   |
|                            | ) |                   |
| Defendant.                 | ) |                   |
| _____                      | ) |                   |

Offense charged:

Count I: Unlawful entry, first offense — violation of 8 U.S.C. § 1325(a)(2).

Count II: Unlawful entry, second offense — violation of 8 U.S.C. § 1325(a)(2).

Date of Detention Hearing: Initial Appearance, 4/20/2005.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required. If new issues surface, then the defendant may request another hearing on release.

01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 (1) In the Pretrial Services Report of April 20, 2005, criminal records are cited that  
03 reflect a substantial number of prior offenses, including three incidents of deportation, pending  
04 charges for driving under the influence, vehicle operator-refusal to comply with police, no valid  
05 operator's license, and no identification. In addition, a bench warrant was issued on April 13,  
06 2005, for failure to appear in court on April 12, 2005, for the pending charges.

07 (2) Defendant appears to have no substantial ties to the community or to the Western  
08 District of Washington.

09 (3) The defendant has stipulated to detention due to the detainer placed on defendant  
10 by the Bureau of Immigration and Customs Enforcement, but reserves the right to the possibility  
11 of a subsequent motion for release if there is a change of circumstances.

12 (4) No conditions or combination of conditions are apparent that will reasonably assure  
13 the defendant's appearance at future Court hearings.

14 IT IS THEREFORE ORDERED:

15 (1) Defendant shall be detained pending trial and committed to the custody of  
16 the Attorney General for confinement in a correction facility separate, to the extent  
17 practicable, from persons awaiting or serving sentences or being held in custody  
18 pending appeal;

19 (2) Defendant shall be afforded reasonable opportunity for private consultation  
20 with counsel;

21 (3) On order of a court of the United States or on request of an attorney for  
22 the government, the person in charge of the corrections facility in which defendant  
23 is confined shall deliver the defendant to a United States Marshal for the purpose  
24 of an appearance in connection with a court proceeding; and  
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26

01 (4) The clerk shall direct copies of this Order to counsel for the United States,  
02 to counsel for the defendant, to the United States Marshal, and to the United  
03 States Pretrial Services Officer.

04 DATED this 21st day of April, 2005.

05  
06 /s/ JAMES P. DONOHUE  
07 United States Magistrate Judge  
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